

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

DENNIS CLAYPOOL, SHERYL	)	CIVIL NO. CV04 00570 HG-BMK
CLAYPOOL individually and as	)	
Guardian ad Litem for KRISTEN	)	DECLARATION OF HAROLD G. HOPPE
CLAYPOOL, a minor, SCOTT	)	
CLAYPOOL, and KRISTEN	)	
CLAYPOOL,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
CAPTAIN ANDY'S SAILING,	)	
INC., BLUE DOLPHIN	)	
CHARTERS, LTD. and BLUE	)	
DOLPHIN DIVING. LTD	)	
	)	
Defendants.	)	
	)	
	)	

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DECLARATION OF HAROLD G. HOPPE

HAROLD G. HOPPE, hereby declares, pursuant to 28 U.S.C. § 1746, as follows:

1. I am an attorney duly admitted to practice before this Court and am counsel of record for Plaintiffs DENNIS CLAYPOOL, SHERYL CLAYPOOL, SCOTT CLAYPOOL, and KRISTEN CLAYPOOL herein.
2. I make this declaration in support of the CLAYPOOL Plaintiffs'

*Ex Parte* Application for an Order Allowing Claypool Plaintiffs' *in Camera* Filing Pursuant to Local Rule 10.2(f) of a Motion for Approval of Good Faith Settlement.

3. Final Judgment in this matter was previously entered pursuant to offers of Judgment which have been filed herein.

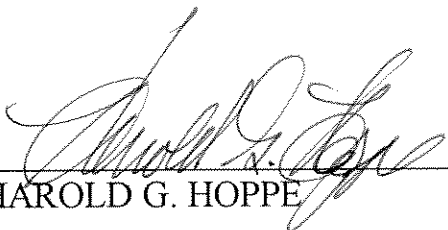
4. Extensive Negotiations have been entered into by the various parties hereto which have resulted in a settlement of certain of the claims as to certain of the parties.

5. The terms of those settlement reached herein, are by their nature, confidential.

6. In order to confirm that the settlements concluded thus far have been completed in good faith and without collusion, Plaintiffs desire to file a Motion with the Court for Approval of Good Faith Settlement as to those settlements which have been completed to advise the Court of the terms and to request a finding that the settlements were entered into in good faith.

7. In order to satisfy both the requirements for confidentiality and the need to confirm the good faith nature of the settlements, it will be necessary that the instant Motion be filed under seal as an *In Camera* submission pursuant to Local Rule 10.2(f); said *In Camera* submission requiring an order from this Honorable Court.

EXECUTED UNDER PENALTY OF PERJURY THIS 11<sup>th</sup> DAY  
OF APRIL, 2006.

  
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HAROLD G. HOPPE